

Amendment No. 1 to SB2279

Kelsey
Signature of Sponsor

AMEND Senate Bill No. 2279

House Bill No. 2102*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-32-101, is amended by adding the following as a new subdivision (a)(1)(C):

(i) If a person seeking expunction pursuant to subdivision (a)(1)(A) was arrested or charged due to a case of mistaken identity, the person may provide evidence of the relevant circumstances in the petition and request that the court order the expunction to be expedited. If the court finds that the person was arrested or charged due to mistaken identity, the court shall order the Tennessee bureau of investigation and any other entity that performs expunction to expunge the records of the person in an expedited manner.

(ii) As used in this subdivision (a)(1)(C), "mistaken identity" means during the investigation of a criminal offense, a person has been arrested, charged, or indicted for a criminal act and subsequent investigation has revealed that the person arrested was not the individual the arresting officer believed the person to be.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.